

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MOHAMED ABDALLA MAHMOUND,

Plaintiff,

v.

TERRY ROYAL, *et al.*,

Defendants.

Case No. 3:25-cv-00145-ART-CSD

ORDER

On March 14, 2025, pro se plaintiff Mohamed Abdalla Mahmoud, an inmate in the custody of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983. (ECF No. 1). Plaintiff has neither paid the full \$405 filing fee for this matter nor filed an application to proceed *in forma pauperis*. (See ECF No. 1). Instead, Plaintiff filed a motion to be allowed to proceed without paying the filing fee or filing an application to proceed *in forma pauperis*. (ECF No. 1-4 at 3). Plaintiff states that the law library supervisors are defendants in this case and that they will not provide him the paperwork to file a complete application to proceed *in forma pauperis*. (*Id.*). He also states that he has a copy of a recent complete application to proceed *in forma pauperis*, but it is being held by prison officials, together with his other property, while he is in segregation. (*Id.*).

Plaintiff's motion to proceed without paying the filing fee or filing a complete application to proceed *in forma pauperis* is denied. Plaintiff must file a complete application to proceed *in forma pauperis*, or pay the \$405 filing in full, on or before **May 20, 2025**. As discussed in greater detail below, if Plaintiff cannot obtain all the necessary financial documents, he may instead file his application to proceed *in forma pauperis* together with a declaration detailing his efforts to obtain these documents.

I. DISCUSSION

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee

1 for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55
2 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the
3 fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev.
4 Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate
5 must submit **all three** of the following documents to the Court: (1) a completed
6 **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the
7 Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a
8 completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is
9 properly signed by both the inmate and a prison or jail official; and (3) a copy of the
10 **inmate’s prison or jail trust fund account statement for the previous six-month**
11 **period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*
12 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means
13 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

14 If Plaintiff is having difficulty obtaining the required financial certificate and inmate
15 account statement for the previous six-month period from prison officials, then he must
16 file the first three pages of the application to proceed *in forma pauperis* on this Court’s
17 approved form together with a declaration detailing when he requested the financial
18 documents, who he spoke to about the status of the documents, who he followed up with
19 after he did not receive the documents, and their responses. Plaintiff’s declaration will
20 include dates of his requests, dates of his follow-up requests, names of the officials that
21 he spoke to about the matter, and their responses. If Plaintiff’s declaration demonstrates
22 that he has done all that was possible to acquire the documents from prison officials, the
23 Court will consider his application to proceed *in forma pauperis* to be complete.¹

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26 ¹ Plaintiff must still submit the first three pages of the application to proceed *in*
27 *forma pauperis* on this Court’s approved form with his declaration. If Plaintiff does not
submit the first three pages of the application to proceed *in forma pauperis* with the
declaration, the Court will recommend dismissal of this case without prejudice.

1 **II. CONCLUSION**

2 It is therefore ordered that Plaintiff has **until May 20, 2025**, to either pay the full
3 \$405 filing fee for a civil action or file a new fully complete application to proceed *in forma*
4 *pauperis* with all three required documents: (1) a completed application to proceed *in*
5 *forma pauperis* with the inmates two signatures on page 3, (2) a financial certificate that
6 is properly signed both by the inmate and a prison or jail official, and (3) a copy of the
7 inmate's prison or jail trust fund account statement for the previous six month period.

8 It is further ordered that if Plaintiff is not able to obtain his financial certificate and
9 inmate trust fund account statement from prison or jail officials, Plaintiff has **until May 20,**
10 **2025**, to file the first three pages of the application to proceed *in forma pauperis* on the
11 Court's approved form together with a declaration detailing the efforts that he took to
12 acquire the financial documents from prison or jail officials.

13 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
14 he fails to timely comply with this order. Dismissal without prejudice allows Plaintiff to
15 refile the case with the Court, under a new case number, when Plaintiff can either pay the
16 filing fee or properly apply for *in forma pauperis* status.

17 The Clerk of the Court is directed to send Plaintiff Mohamed Abdalla Mahmoud
18 the approved form application to proceed *in forma pauperis* for an inmate and instructions
19 for the same and retain the complaint (ECF No. 1-1) but not file it at this time.

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21 DATED: March 21, 2025.

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24 UNITED STATES MAGISTRATE JUDGE
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